IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LDG.) NO. 2335 OF 2006

Samrut Jyotiba Dhahikamble. ... Petitioner.

V/s.

Deputy Forest Conservator,
Sanjay Gandhi National Park
and others. ... Respondents.

M.A.Choudhari for the petitioner.

K.R.Belosey, G.P. for respondent Nos.1, 3 & 4.

CORAL: F.I.REBELLO AND ANOOP MOHTA. JJ.

DATE : 17th November 2006.

P.C. :

. The case of the petitioner for allotment of alternate accommodation after being evicted from the area forming part of the Sanjay Gandhi National Park, Borivli has been rejected on the ground that one Mr.Kamble Mahadeo Govind has been allotted alternate premises. The case of the petitioner is that he has no connection with Mr.Kamble Mahadeo Govind. Extract of electoral roll is relied upon shows that the persons under serial Nos.137 to 144 are residing in room No.58, ground floor. Name of Mr.Kamble Mahadeo Govind is at serial No.143. If that is the case, then it is not possible for us to interfere with the said finding of fact. Though more than one persons are residing in one room, by way of alternate

accommodation premises would be entitled to only one persons irrespective of the number of persons residing in the room.

2. If, however, it is the case of the petitioner that Mr.Kamble Mahadeo Govind was not residing in room No.58 and that petitioner was residing there, then it would be open for the petitioner to take out appropriate proceeding including that of civil suit to get declared his rights against Mr.Kamble Mahadeo Govind.

3. With the above observations, petition stands disposed of.

(ANOOP MOHTA, J.) **(F.I.REBELLO, J.)**